

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in this application.

1. (Currently Amended) A crystalline form of gatifloxacin obtainable by means of a process

~~which includes the following steps~~ comprising the steps of:

- ~~dissolving the~~ crude gatifloxacin ~~is dissolved~~ in methanol by heating to reflux temperature, using between 50 and 65 volumes of methanol for each unit by weight of crude gatifloxacin,
- ~~it is cooled~~ cooling the methanol with dissolved gatifloxacin to a temperature ranging between 15° C and 25° C within a period of time not exceeding 1.5 hours,
- during the cooling process it is seeded with form I gatifloxacin,
- ~~it is then cooled to a temperature comprised~~ cooling the methanol with dissolved gatifloxacin to between 0° C and 5° C and ~~kept~~ keeping it at this temperature for at least 1 hour,
- separating the solid product ~~is separated~~ by filtration, and
- drying the solid product ~~is dried~~ in an oven under vacuum to constant weight.

2. (Currently Amended) A process for preparing a crystalline form of gatifloxacin, ~~which includes the following steps~~ comprising the steps of:

- ~~dissolving the~~ crude gatifloxacin ~~is dissolved~~ in methanol by means of heating to the reflux temperature,
- ~~it is cooled~~ cooling said methanol with dissolved gatifloxacin to a temperature between 15° C and 25° C in a period of time not exceeding 1.5 hours, and

- seeding said methanol with dissolved gatifloxacin ~~it is seeded~~ with form I gatifloxacin.
3. (Currently Amended) A process according to Claim 2, ~~characterised in that~~ wherein the crude gatifloxacin is dissolved in methanol, using between 50 and 70 volumes of methanol for each unit by weight of crude gatifloxacin.
4. (Currently Amended) A process according to claim 2, further comprising the steps of: Claims 2 and 3, characterised in that it further comprises the following steps:
- cooling the suspension ~~is cooled~~ to a temperature between 0° C and 5° C and kept at that temperature for at least 1 hour,
  - filtering the solid product ~~is filtered~~, and
  - drying the product ~~is dried~~ in an oven to constant weight.
5. (Original) Use of the form of gatifloxacin according to Claim 1 for the manufacture of a medicament for the treatment of infectious diseases of bacterial origin.